

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RSG, INC., a South Dakota corporation,) CASE NO.: 8:06 CV507

R GROUP, INC., an Iowa corporation; and)

RANDALL S. GOLDEN, an individual,)

)

Plaintiffs,)

MOTION OF PLAINTIFFS
RSG, INC., R GROUP, INC.,
RANDALL S. GOLDEN TO
CONSOLIDATE

v.)

)

SIDUMP'R TRAILER COMPANY, INC., a)

Delaware corporation,)

)

Defendant.)

GEMINI INVESTORS III, L.P., a Delaware)

corporation and GEMINI INVESTORS IV,)

L.P., a Delaware corporation,)

CASE NO: 8:09CV105

Plaintiffs,)

MOTION OF DEFENDANTS
RSG, INC., R GROUP, INC.,
RANDALL S. GOLDEN TO
CONSOLIDATE

v.)

)

RSG, INC., a South Dakota corporation,)

R GROUP, INC., an Iowa corporation; and)

RANDALL S. GOLDEN, an individual,)

)

Defendants.)

)

RSG, INC., R GROUP, INC., and RANDALL S. GOLDEN, Plaintiffs in Case No. 8:06 CV507 and Defendants in Case No. 8:09CV105 (collectively “Golden”), hereby jointly move the court to enter an order consolidating each of the above captioned proceedings (collectively the “Cases”) for all purposes, including trial, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. The Cases involve common questions of law and fact. Golden will suffer unfair prejudice if the Cases are not consolidated for the reasons set forth in Golden’s Brief filed contemporaneously herewith. Consolidation will promote judicial efficiency and will not unfairly prejudice Sidump’r Trailer Company, Inc., Gemini Investors III, L.P., and Gemini Investors IV, L.P.

Dated this 25th day of August, 2009.

RSG, INC., a South Dakota corporation, R GROUP, INC., an Iowa corporation, and RANDALL S. GOLDEN, an individual, Plaintiffs in Case No. No. 8:06 CV507 and Defendants in Case No. 8:09CV105

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2009, I electronically filed the foregoing with the Clerk of the Court in each of the above captioned proceedings using the CM/ECF system which sent notification of such filing to the following:

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